

REMARKS/ARGUMENTS

Claims 1, 4-8 and new claim 10 are under consideration in this application with claim 9 withdrawn and claims 2 and 3 canceled. Independent claim 1 has been amended to more particular define and claim the invention. Favorable consideration and allowance of the application is respectfully requested.

Claims 5-7 stand rejected under 35 USC 112, second paragraph. In particular, no antecedent basis was provided for the lid in claims 5-7. Applicant has amended claim 1, from which these claims depend, to provide proper antecedent basis.

Claims 1, 2 and 4-7 stand rejected under 35 U.S.C. §102(b) as being anticipated by Morris et al. (US Patent 5,848,691). The Morris reference discloses a tray with channels at grooves 22 and 24 and recesses and the tray is disposed within a pouch. The Morris reference also does not disclose an oxygen or moisture scavenger package. Applicant's claims as now amended require a coiled dispenser. The stent delivery system is placed within the coiled dispenser. (see Applicant's specification paragraphs 25 and 29). The coiled dispenser is then received within grooves on applicant's tray. The Morris reference does not disclose or teach the use of the coiled dispenser. Accordingly each and every element of the claimed invention is not found in the Morris reference and this rejection must be withdrawn.

Claims 1-4 stand rejected under 35 U.S.C. §102(b) as being anticipated by Dutchik (US Patent 5,590,778). The Dutchik reference discloses a tray with a recess for receiving a coiled cardiac catheter. The coiled cardiac catheter is not within a coiled dispenser. Applicant's claims as now amended require a coiled dispenser. The Dutchik reference does not disclose or teach the use of a coiled dispenser. Accordingly, each and every element of the claimed invention is not found in the Dutchik reference and this rejection must be withdrawn.

Claims 1 and 3-5 stand rejected under 35 U.S.C. §102(b) as being anticipated by Cerwin (US Patent 4,519,501). The Cerwin patent is a package for holding ligating clips in a recess.

The Cerwin patent does not disclose or teach a coiled dispenser. Applicant's claims as amended require a coiled dispenser. Accordingly, each and every element of the claimed invention is not found in the Cerwin patent and this rejection must be withdrawn.

Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Morris et al. (US Patent 5,848,691), in view of Aday (US Patent 4,406,363). The Aday patent is relied upon to disclose a conventional sterile envelope/pouch for a medical article made of aluminum foil coated with thermoplastic. The Aday patent discloses a folder retainer for surgical sutures. The Aday patent does not disclose a coiled dispenser. As discussed above, the Morris patent also does not disclose a coiled dispenser. Applicant's amended claims require a coiled dispenser in addition to the tray. Thus, regardless of whether one of skilled in the art would be motivated to combine the Morris and Aday references, these references are deficient with respect to the teaching of a coiled dispenser. Accordingly, this obviousness rejection must be withdrawn.

New claim 10 adds the limitation of a scavenger package. Applicant considers that this claim is allowable over the prior art, since it also requires the coiled dispenser of claim 1.

Conclusion

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at telephone (707) 543-0221.

Respectfully submitted,



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